

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

Elsie M. Mayard,

Civil No. 05-1058 (RHK/JSM)

Plaintiff,

**ORDER**

v.

Robert A. Dildine, Gary B. Crawford,

Defendants.

---

Defendants' Motion to Dismiss under Rule 12 (Doc. No. 10) is **REFERRED** to Magistrate Judge Janie S. Mayeron for a recommended disposition and the February 7, 2006 hearing before the undersigned is **CANCELED**. Briefing with respect to the Motion to Dismiss shall be completed in accordance with the schedule in effect for a February 7, 2006 hearing date. Judge Mayeron will advise the parties if she desires oral argument.

Dated: December 28, 2005

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge